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10/674,255	09/29/2003	Yuichi Iwase	09792909-5694	1727
26263 7590 12/09/2009 SONNENSCHN NATH & ROSENTHAL LLP P.O. BOX 061080 WACKER DRIVE STATION, WILLIS TOWER CHICAGO, IL 60606-1080				
EXAMINER				
HON, SOW FUN				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
12/09/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,255

Applicant(s)

IWASE, YUICHI

Examiner

SOPHIE HON

Art Unit

1794

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 6, 15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6, 15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Withdrawn Rejections

1. The 35 U.S.C. 112, 2nd paragraph rejection of claims 1-3, 6, 15-16 in the Office action dated 4/15/09 is withdrawn due to Applicant's amendment dated 8/17/09.
2. The 35 U.S.C. 103(a) rejection of claims 1-3, 6, 15-16 over Siwinski in view of Sekiguchi is withdrawn due to Applicant's amendment dated 8/17/09.

New Rejections

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 17 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

- (i) In line 14 of the claim, the recitation of "the protective film includes an inorganic material" does not appear to be supported by the specification. Only two species, silicon oxide and silicon nitride, are recited on page 13 of the specification, and the trailer of "and the like" does not appear to provide any indication as in what way the other materials are like the two species.
- (ii) In line 16 of the claim, the recitation of "the sealing panel has a sufficiently rigid layer" does not appear to be supported by the specification.

Claim Rejections - 35 USC § 103

4. Claims 1, 3, 6, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson (US 4,931,782) in view of Yamazaki (US 2002/0153360).

Regarding claim 1, Jackson teaches a display unit in Fig. 2, shown on a following page, comprising: a display panel and a flexible touch panel (touch screen overlay on the viewing surface of a visual display device formed from a flexible membrane laminate, abstract) which (a) is composed of plastic films (flexible laminate comprises first and second flexible substrates formed of transparent polyester material, abstract, touch screen overlay 10 comprises a lower substrate 32 formed from a sheet of polyester, thin, about 5 mil, column 6, lines 1-10, upper substrate 36 formed of the same polyester, on the order of 2 mils, column 6, lines 27-32), (b) is directly bonded to a whole face of the display panel with an adhesive layer in between (lower substrate may be directly attached to the glass display surface 13 of the CRT 12 by a thin layer of transparent adhesive 33, column 6, lines 10-15) and (c) detects contact with a suitable

contact element thereon (permits either finger touch or stylus detection input, column 5, lines 28-33), wherein the adhesive layer 33 is in direct contact with both a protective member 13 for protecting the display 12 and one of the plastic films 32 (lower substrate 32 formed from a sheet of polyester material ... may be directly attached to the glass display surface 13 of the CRT 12 by a thin layer of transparent adhesive 33, column 6, lines 5-15, Fig. 2). In the one embodiment, Jackson teaches that the display panel comprises a cathode ray tube 12 (CRT, column 6, lines 10-15) which is sealed by a protective member 13 (glass display surface, column 6, lines 10-15) such that the cathode ray tube 12 is isolated from the flexible touch panel 10 and hence fails to teach that the display panel comprises a plurality of display devices, wherein each of the plurality of display devices has an organic emitting layer made of organic electro luminescence material, and which are sealed by the protective film such that the display devices are isolated from the flexible touch panel.

However, Jackson teaches that the cathode ray tube in the display panel can be replaced by a plurality of light emitting display devices (light emitting diode arrays, column 1, lines 14-20), but is silent regarding the specifics of such a display panel.

Yamazaki teaches a display panel in Fig. 12, shown on a following page, comprising a plurality of light emitting display devices, including a substrate on which the plurality of display devices are formed (light-emitting elements, [0202]), and a protective film formed directly on both the (a) substrate and (b) the plurality of display devices for protecting and isolating the plurality of display devices (light-emitting elements sealed between the substrate and a cover member, [0202], cover member

718, [0218]), wherein each of the plurality of the display devices has an organic light emitting layer made of organic electro luminescence material ([0202]).

Therefore, since Jackson is silent regarding the specifics of the display panel comprising the plurality of light emitting display devices, it would have been necessary and hence obvious to have looked to the prior art for a suitable one. As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have used the display panel comprising light emitting display devices of Yamazaki, which includes a substrate on which the plurality of light emitting display devices are formed, and a protective film formed directly on both the (a) substrate and (b) the plurality of display devices, for the purpose of protecting and isolating the plurality of light emitting display devices, wherein each of the plurality of light emitting display devices has an organic light emitting layer made of organic electro luminescence material, as the display panel comprising light emitting display devices in the display unit of Jackson, such that the protective film of the display panel seals and isolates the plurality of light emitting display devices from the touch panel, in order to obtain a display panel with the desired display characteristics and long operating life.

Regarding claim 3, Jackson teaches that the touch panel has a structure that includes two plastic films 32 and 36 (Fig. 2), in which respective transparent electrodes 34 and 38 are formed and are layered so that the transparent electrodes 34 and 38 are placed opposite each other (On the upper surface of the lower substrate 32 is deposited ... array of transparent electrodes 34, column 6, lines 10-20, upper substrate 36 formed of the same polyester material as the lower substrate 32 ... On the lower surface of the

upper substrate is deposited an array of transparent conductors 38, column 6, lines 27-35, Fig. 2).

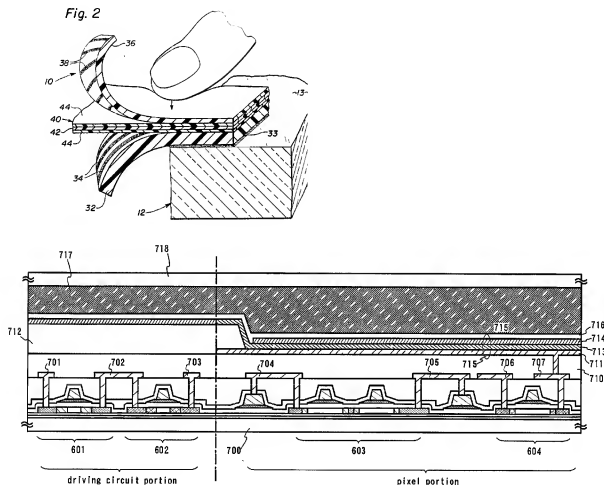


Fig. 12

Regarding claim 6, Yamazaki teaches that each respective display device is an organic light emitting device ([0202]) which includes an organic light emitting layer 713 between a first electrode 711 which is an anode (pixel electrode, [0212], anode of a light-emitting element, [0209]) and a second electrode 714 which is a cathode ([0214]) wherein the lights generated from the organic light emitting layer is extracted from the

second electrode side (anode 711 to organic light emitting layer 713 to cathode 714, Fig. 12).

Regarding claim 15, Jackson teaches that the suitable contact element is a finger or a pen (permits either finger touch or stylus detection input, column 5, lines 28-33).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson (US 4,931,782) in view of Brown (US 6,835,950).

Jackson teaches a display panel in Fig. 2, shown on a following page, comprising: a driving panel and a flexible touch panel (touch screen overlay on the viewing surface of a visual display device formed from a flexible membrane laminate, abstract) which (a) is composed of plastic films (flexible laminate comprises first and second flexible substrates formed of transparent polyester material, abstract, touch screen overlay 10 comprises a lower substrate 32 formed from a sheet of polyester, thin, about 5 mil, column 6, lines 1-10, upper substrate 36 formed of the same polyester, on the order of 2 mils, column 6, lines 27-32) and (b) detects contact with a suitable contact element thereon (permits either finger touch or stylus detection input, column 5, lines 28-33). In the one embodiment, Jackson teaches that the driving panel which is inherent in the display panel, comprises a cathode ray tube 12 (CRT, column 6, lines 10-15) which is sealed by a sealing panel which has a sufficiently rigid layer 13 (glass display surface, column 6, lines 10-15) such that the cathode ray tube 12 is effectively isolated from the flexible touch panel 10, and hence fails to teach that the display panel comprises a plurality of display devices, wherein each of the plurality of display devices has an organic emitting layer made of organic electro luminescence material, and which

are sealed by the sealing panel such that the plurality of display devices are isolated from the flexible touch panel.

However, Jackson teaches that the cathode ray tube in the driving panel of the display panel can be replaced by a plurality of light emitting display devices (light emitting diode arrays, column 1, lines 14-20), but is silent regarding the specifics of such a display panel.

Brown teaches a display panel in Fig. 3 shown on a following page (organic electrochromic display, column 1, lines 10-15) comprising a driving panel having a substrate 110 with a plurality of display devices 116 thereon (OLED region, column 8, lines 22-37, two-dimensional OLED arrays, column 1, lines 17-30, Fig. 3) wherein each of the plurality of display devices has an organic emitting layer (OLED is short for organic light emitting diode/display), and a protective film 126 formed directly on both (a) the substrate 110 and (b) the plurality of display devices 116 (column 7, lines 58-60, Fig. 3); and a sealing panel 120 (barrier layer 120, "face seal", column 8, lines 22-25), wherein the driving panel and the sealing panel 120 are secured together by means of a first adhesive layer 130 (column 7, lines 43-47), the protective film 126 includes an inorganic material (silicon oxide, silicon nitride, column 8, lines 3-6) which is effective to isolate the plurality of display devices 116 from moisture (semiconductors such as silicon offer good barrier properties to water, column 5, lines 62-65).

Therefore, since Jackson is silent regarding the specifics of the display panel comprising the plurality of light emitting display devices, it would have been necessary and hence obvious to have looked to the prior art for a suitable one. As such, it would

have been obvious to one of ordinary skill in the art at the time the invention was made, to have used the display panel comprising light emitting display devices of Brown, which includes a substrate on which the plurality of light emitting display devices are formed, and a protective film formed directly on both the (a) substrate and (b) the plurality of display devices, for the purpose of protecting and isolating the plurality of light emitting display devices, wherein each of the plurality of light emitting display devices has an organic light emitting layer made of organic electro luminescence material, as the display panel comprising light emitting display devices in the display unit of Jackson, such that the protective film of the display panel seals and isolates the plurality of light emitting display devices from the touch panel, in order to obtain a display panel with the desired display characteristics and long operating life.

Fig. 2

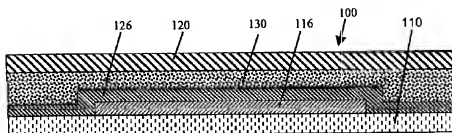
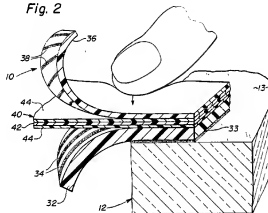


Fig. 3

In addition, Jackson teaches that the touch panel 10 and the sealing panel 13 are secured together by means of a second adhesive 33 (glass display surface, column 6, lines 10-15, Fig. 2).

Response to Arguments

6. Applicant's arguments been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample, can be reached on (571)272-1376. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/

Sow-Fun Hon

Examiner, Art Unit 1794